



General Assembly

February Session, 2004

Amendment

LCO No. 4237

HB0516804237HR0

Offered by:

REP. WARD, 86th Dist.
REP. CAFERO, 142nd Dist.
REP. POWERS, 151st Dist.
REP. BELDEN, 113th Dist.

To: House Bill No. 5168

File No. 287

Cal. No. 205

(As Amended)

**"AN ACT AUTHORIZING MUNICIPALITIES TO ESTABLISH
PROGRAMS FOR THE PUBLIC FINANCING OF CAMPAIGNS FOR
ELECTION TO MUNICIPAL OFFICES."**

1 Strike everything after the enacting clause and substitute the
2 following in lieu thereof:

3 "Section 1. Subsection (b) of section 9-333b of the general statutes is
4 repealed and the following is substituted in lieu thereof (*Effective July*
5 *1, 2004*):

6 (b) As used in this chapter, "contribution" does not mean:

7 (1) A loan of money made in the ordinary course of business by a
8 national or state bank;

9 (2) Any communication made by a corporation, organization or
10 association to its members, owners, stockholders, executive or
11 administrative personnel, or their families;

12 (3) Nonpartisan voter registration and get-out-the-vote campaigns
13 by any corporation, organization or association aimed at its members,
14 owners, stockholders, executive or administrative personnel, or their
15 families;

16 (4) Uncompensated services provided by individuals volunteering
17 their time;

18 (5) The use of real or personal property, and the cost of invitations,
19 food or beverages, voluntarily provided by an individual to a
20 candidate or on behalf of a state central or town committee, in
21 rendering voluntary personal services for candidate or party-related
22 activities at the individual's residence, to the extent that the cumulative
23 value of the invitations, food or beverages provided by the individual
24 on behalf of any single candidate does not exceed two hundred dollars
25 with respect to any single election, and on behalf of all state central
26 and town committees does not exceed four hundred dollars in any
27 calendar year;

28 (6) The sale of food or beverage for use in a candidate's campaign or
29 for use by a state central or town committee at a discount, if the charge
30 is not less than the cost to the vendor, to the extent that the cumulative
31 value of the discount given to or on behalf of any single candidate does
32 not exceed two hundred dollars with respect to any single election,
33 and on behalf of all state central and town committees does not exceed
34 four hundred dollars in a calendar year;

35 (7) Any unreimbursed payment for travel expenses made by an
36 individual who on the individual's own behalf volunteers the
37 individual's personal services to any single candidate to the extent the
38 cumulative value does not exceed two hundred dollars with respect to
39 any single election, and on behalf of all state central or town
40 committees does not exceed four hundred dollars in a calendar year;

41 (8) The payment, by a party committee, political committee or an
42 individual, of the costs of preparation, display, mailing or other
43 distribution incurred by the committee or individual with respect to
44 any printed slate card, sample ballot or other printed list containing
45 the names of three or more candidates;

46 (9) The donation of any item of personal property by an individual
47 to a committee for a fund-raising affair, including a tag sale or auction,
48 or the purchase by an individual of any such item at such an affair, to
49 the extent that the cumulative value donated or purchased does not
50 exceed fifty dollars;

51 [(10) The purchase of advertising space which clearly identifies the
52 purchaser, in a program for a fund-raising affair, provided the
53 cumulative purchase of such space does not exceed two hundred fifty
54 dollars from any single candidate or the candidate's committee with
55 respect to any single election campaign or two hundred fifty dollars
56 from any single party committee or other political committee in any
57 calendar year if the purchaser is a business entity or fifty dollars for
58 purchases by any other person;]

59 [(11)] (10) The payment of money by a candidate to the candidate's
60 candidate committee;

61 [(12)] (11) The donation of goods or services by a business entity to a
62 committee for a fund-raising affair, including a tag sale or auction, to
63 the extent that the cumulative value donated does not exceed one
64 hundred dollars;

65 [(13)] (12) The advance of a security deposit by an individual to a
66 telephone company, as defined in section 16-1, as amended, for
67 telecommunications service for a committee, provided the security
68 deposit is refunded to the individual;

69 [(14)] (13) The provision of facilities, equipment, technical and
70 managerial support, and broadcast time by a community antenna
71 television company, as defined in section 16-1, as amended, for

72 community access programming pursuant to section 16-331a, unless
73 (A) the major purpose of providing such facilities, equipment, support
74 and time is to influence the nomination or election of a candidate, or
75 (B) such facilities, equipment, support and time are provided on behalf
76 of a political party; or

77 [(15)] (14) The sale of food or beverage by a town committee to an
78 individual at a town fair, county fair or similar mass gathering held
79 within the state, to the extent that the cumulative payment made by
80 any one individual for such items does not exceed fifty dollars.

81 Sec. 2. Subsection (c) of section 9-333j of the general statutes, as
82 amended by section 4 of public act 03-223 and section 60 of public act
83 03-241, is repealed and the following is substituted in lieu thereof
84 (*Effective July 1, 2004*):

85 (c) (1) Each statement filed under subsection (a), (e) or (f) of this
86 section shall include, but not be limited to: (A) An itemized accounting
87 of each contribution, if any, including the full name and complete
88 address of each contributor and the amount of the contribution; (B) in
89 the case of anonymous contributions, the total amount received and
90 the denomination of the bills; (C) an itemized accounting of each
91 expenditure, if any, including the full name and complete address of
92 each payee, the amount and the purpose of the expenditure, the
93 candidate supported or opposed by the expenditure, whether the
94 expenditure is made independently of the candidate supported or is an
95 in-kind contribution to the candidate, and a statement of the balance
96 on hand or deficit, as the case may be; (D) an itemized accounting of
97 each expense incurred but not paid; (E) the name and address of any
98 person who is the guarantor of a loan to, or the cosigner of a note with,
99 the candidate on whose behalf the committee was formed, or the
100 campaign treasurer in the case of a party committee or a political
101 committee or who has advanced a security deposit to a telephone
102 company, as defined in section 16-1, as amended, for
103 telecommunications service for a committee; [(F) for each business
104 entity or person purchasing advertising space in a program for a fund-

105 raising affair, the name and address of the business entity or the name
106 and address of the person, and the amount and aggregate amounts of
107 such purchases; (G)] (F) for each individual who contributes in excess
108 of one hundred dollars but not more than one thousand dollars, in the
109 aggregate, to the extent known, the principal occupation of such
110 individual and the name of the individual's employer, if any; [(H)] (G)
111 for each individual who contributes in excess of one thousand dollars
112 in the aggregate, the principal occupation of such individual, the name
113 of the individual's employer, if any, and a statement indicating
114 whether the individual or a business with which he is associated has a
115 contract with the state which is valued at more than five thousand
116 dollars; [(I)] (H) for each itemized contribution made by a lobbyist, the
117 spouse of a lobbyist or any dependent child of a lobbyist who resides
118 in the lobbyist's household, a statement to that effect; and [(J)] (I) for
119 each individual who contributes in excess of four hundred dollars in
120 the aggregate to or for the benefit of any candidate's campaign for
121 nomination at a primary or election to the office of chief executive
122 officer of a town, city or borough, a statement indicating whether the
123 individual or a business with which he is associated has a contract
124 with said municipality that is valued at more than five thousand
125 dollars. Each campaign treasurer shall include in such statement (i) an
126 itemized accounting of the receipts and expenditures relative to any
127 testimonial affair held under the provisions of section 9-333k or any
128 other fund-raising affair, which is referred to in subsection (b) of
129 section 9-333b, as amended by this act, and (ii) the date, location and a
130 description of the affair.

131 (2) Each contributor described in subparagraph [(G), (H), (I) or (J)]
132 (F), (G), (H) or (I) of subdivision (1) of this subsection shall, at the time
133 the contributor makes such a contribution, provide the information
134 which the campaign treasurer is required to include under said
135 subparagraph in the statement filed under subsection (a), (e) or (f) of
136 this section. Notwithstanding any provision of subdivision (2) of
137 section 9-7b, as amended, any contributor described in subparagraph
138 [(G)] (F) of subdivision (1) of this subsection who does not provide

139 such information at the time the contributor makes such a contribution
140 and any treasurer shall not be subject to the provisions of subdivision
141 (2) of section 9-7b, as amended. If a campaign treasurer receives a
142 contribution from an individual which separately, or in the aggregate,
143 is in excess of one thousand dollars and the contributor has not
144 provided the information required by [said] subparagraph [(H)] (G) of
145 subdivision (1) of this subsection or if a campaign treasurer receives a
146 contribution from an individual to or for the benefit of any candidate's
147 campaign for nomination at a primary or election to the office of chief
148 executive officer of a town, city or borough, which separately, or in the
149 aggregate, is in excess of four hundred dollars and the contributor has
150 not provided the information required by [said] subparagraph [(J)] (I)
151 of subdivision (1) of this subsection, the campaign treasurer: (i) Within
152 three business days after receiving the contribution, shall send a
153 request for such information to the contributor by certified mail, return
154 receipt requested; (ii) shall not deposit the contribution until the
155 campaign treasurer obtains such information from the contributor,
156 notwithstanding the provisions of section 9-333h, as amended; and (iii)
157 shall return the contribution to the contributor if the contributor does
158 not provide the required information within fourteen days after the
159 treasurer's written request or the end of the reporting period in which
160 the contribution was received, whichever is later. Any failure of a
161 contributor to provide the information which the campaign treasurer is
162 required to include under [said] subparagraph [(G) or (I)] (F) or (H) of
163 subdivision (1) of this subsection, which results in noncompliance by
164 the campaign treasurer with the provisions of [said] subparagraph [(G)
165 or (I)] (F) or (H) of subdivision (1) of this subsection, shall be a
166 complete defense to any action against the campaign treasurer for
167 failure to disclose such information.

168 (3) Contributions from a single individual to a campaign treasurer
169 in the aggregate totaling thirty dollars or less need not be individually
170 identified in the statement, but a sum representing the total amount of
171 all such contributions made by all such individuals during the period
172 to be covered by such statement shall be a separate entry, identified

173 only by the words "total contributions from small contributors".

174 (4) Statements filed in accordance with this section shall remain
175 public records of the state for five years from the date such statements
176 are filed.

177 Sec. 3. Subsection (g) of section 9-333l of the general statutes is
178 repealed and the following is substituted in lieu thereof (*Effective July*
179 *1, 2004*):

180 (g) As used in this subsection, "immediate family" means any
181 spouse or dependent child who resides in a lobbyist's household. Each
182 lobbyist who is an individual and, in conjunction with members of his
183 immediate family, makes contributions to or purchases from
184 committees exceeding one thousand dollars in the aggregate during
185 the twelve-month period beginning July 1, 1993, or July first in any
186 year thereafter, shall file a statement, sworn under penalty of false
187 statement, with the Secretary of the State in accordance with the
188 provisions of section 9-333e, as amended, on the second Thursday in
189 July following the end of such twelve-month period. The statement
190 shall include: (1) The name of each committee to which the lobbyist or
191 a member of his immediate family has made a contribution and the
192 amount and date of each such contribution; and (2) the name of each
193 committee from which the lobbyist or member of his immediate family
194 has purchased any item of property [or advertising space in a
195 program] in connection with a fund-raising event which is not
196 considered a contribution under subsection (b) of section 9-333b, as
197 amended by this act, and the amount, date and description of each
198 such purchase. Each lobbyist who is an individual and who, in
199 conjunction with members of his immediate family, does not make
200 contributions to or purchases from committees exceeding one
201 thousand dollars in the aggregate during any such twelve-month
202 period shall file a statement, sworn under penalty of false statement,
203 with the Secretary of the State in accordance with the provisions of
204 section 9-333e, as amended, on the second Thursday in July, so
205 indicating.

206 Sec. 4. Subdivision (1) of subsection (e) of section 1-79 of the general
207 statutes is repealed and the following is substituted in lieu thereof
208 (*Effective July 1, 2004*):

209 (1) A political contribution otherwise reported as required by law or
210 a donation or payment as described in subdivision (9) [or (10)] of
211 subsection (b) of section 9-333b, as amended by this act.

212 Sec. 5. Subdivision (1) of subsection (g) of section 1-91 of the general
213 statutes is repealed and the following is substituted in lieu thereof
214 (*Effective July 1, 2004*):

215 (1) A political contribution otherwise reported as required by law or
216 a donation or payment described in subdivision (9) [or (10)] of
217 subsection (b) of section 9-333b, as amended by this act."

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| This act shall take effect as follows: | |
| Section 1 | <i>July 1, 2004</i> |
| Sec. 2 | <i>July 1, 2004</i> |
| Sec. 3 | <i>July 1, 2004</i> |
| Sec. 4 | <i>July 1, 2004</i> |
| Sec. 5 | <i>July 1, 2004</i> |